

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
RECORDING DEVICE MEDIA REQUEST PROCEDURES**

February, 2017

MEDIA REQUEST (G-8)

All recordings of court proceedings must be approved by the judicial officer. Photographing or filming in the general areas of a courthouse must be approved by the Presiding Judge or Supervising Judge of that facility.

No type of electronic recording device will be allowed into any courthouse without an approved MC-500/510. Media outlets are to have some form of identification with the outlet's name or a copy of the MC-500/510 to gain access to the building, unless instructed by the CEO or his/her designee who will communicate access approval to the Sheriff Office's Lieutenant or the facility Sergeant in the Lt's absence.

Judicial Council/Other Official Forms:

Form Title	Authority	Form Number	Mandatory Format?
Media Request	Judicial Council	<u>MC-500</u>	Yes
Order on Media Request	Judicial Council	<u>MC-510</u>	Yes

Code Sections and Local Rules:

Code/Rule	Section	Title
California Rules of Court	<u>1.150</u>	Photographing, Recording and Broadcasting in Court
General Court and Administration Local Rules	<u>2</u>	Use of Recording Devices in Courthouse Facilities

Fees: None

Procedures: All MC- 500 requests, excluding matters handled by Felony Case Managers

Responsible Party	Step	Action	Type
Media Representative	1	Complete the MC-500/510 (<i>available on the Court's website</i>) and email to media@scscourt.org .	M
Media Coordinator	2	Check media@scscourt.org account at 11:30 am and 3:30 pm for submitted MC-500/510. Forward request/s to appropriate facility utilizing distribution list and provide update/direction for pooling arrangement/request (<i>if necessary</i>).	M
Facility Coordinator This responsibility will convert to the Media Coordinator after full implementation of Odyssey.	3	Query Odyssey/CJIC/UCS ✓ Confirm the accuracy of the request's information. ✓ Update MC-500/510 with missing or inaccurate information (<i>if needed and attainable</i>). ✓ If request has insufficient information to determine case or the request's date and time is incorrect, F/C will email Facility Manager (F/M) and media@scscourt.org .	M

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Facility Manager	3B	<p><i>(When necessary)</i></p> <p>If request has insufficient information, F/M will consult with Media Coordinator (M/C) to determine if request should be returned to the media.</p>	M
Media Coordinator	3C	<p><i>(When necessary)</i></p> <ul style="list-style-type: none"> ✓ Alert news agency of insufficient or erroneous information that has resulted in an inability to process request. ✓ Alert news agency of change if date or time of requested hearing has passed or is set for a future date. ✓ Tweet updated information relating to change in date or time (<i>when multiple requests for same matter exist</i>). 	M
Facility Coordinator	4	<ul style="list-style-type: none"> ✓ Forward request to judge and "cc" courtroom clerk (C/C). ✓ Notify parties of request. [Time requirement is "prompt"] ✓ Notify F/M and C/C if contact information for parties is not available. C/C to provide contact information if available, or notify parties of request (<i>if directed by judge or F/M</i>). 	
Judge	5	<p>Review request and consider following 19 factors pursuant to California Rules of Court, Rule 1.150(e)(3) to make order:</p> <ul style="list-style-type: none"> ✓ Importance of maintaining public trust and confidence in the judicial system ✓ Importance of promoting public access to the judicial system ✓ Parties' support of or opposition to the request ✓ Nature of the case ✓ Privacy rights of all participants in the proceeding, including witnesses, jurors, and victims ✓ Effect on any minor who is a party, prospective witness, victim, or other participant in the proceeding ✓ Effect on the parties' ability to select a fair and unbiased jury ✓ Effect on any ongoing law enforcement activity in the case ✓ Effect on any unresolved identification issues ✓ Effect on any subsequent proceedings in the case ✓ Effect of coverage on the willingness of witnesses to cooperate, including the risk that coverage will engender threats to the health or safety of any witness ✓ Effect on excluded witnesses who would have access to the televised testimony of prior witnesses ✓ Scope of the coverage and whether partial coverage might unfairly influence or distract the jury ✓ Difficulty of jury selection if a mistrial is declared 	

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	5. cont.	<ul style="list-style-type: none"> ✓ Security and dignity of the court ✓ Undue administrative or financial burden to the court or participants ✓ Interference with neighboring courtrooms ✓ Maintaining orderly conduct of the proceeding ✓ Any other factor the judge deems relevant 	
Judge	5B	(<i>When necessary/desired</i>) Contact M/C to discuss request.	M
Judge	6	Sign order. Judge may insert electronic signature on request or communicate approval/denial to F/C and/or M/C, who will insert electronic signature. There is no time requirement for a judge to render a decision, but common sense dictates that a decision should be made a reasonable time before the hearing.	M
Facility Coordinator or Media Coordinator	7	Affix judicial signature stamp (<i>if instructed</i>) to MC-510, file stamp, adhere seal stamp, initial, and if necessary, assign pool (<i>contact M/C for assistance with pooling designation</i>).	M
Facility Coordinator	8	Scan/email MC-500/510 to <u>media@scscourt.org</u> via facility's media team (<i>utilizing distribution list</i>). Include name of the facility, case # and date of matter in subject line of email.	M
Facility Coordinator	9	Ensure final endorsed order is placed in court file.	M
Media Coordinator	10	Forward signed order to media.	M
Media Coordinator	11	Move email of signed order and original request into appropriate electronic folders under <u>media@scscourt.org</u> account.	
Facility Coordinator	12	(<i>If approved</i>) Provide hard copy of signed request/s to metal detector.	M
Sheriff's Office	13	S/O Lt. will notify courtroom deputy. Deputy is responsible for notifying judge of media presence before judge takes bench.	M
Courtroom Clerk	14	(<i>If requested by M/C</i>) Email next appearance by end of calendar to <u>media@scscourt.org</u> .	M
Media Coordinator	15	(<i>When necessary</i>) Tweet next appearance based off information provided by Courtroom Clerk.	M